UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK 752V00349-NG-St.P

-----X Index No.: 0249/98 (NG)

ROMA ELEVATOR CONSTRUCTION CORP.,

Plaintiff. STIPULATION ISCONTINUING ACTION IN CLERKS OFFICE U.S. PROTEST COURT ED. N.Y.

KULLMAN INDUSTRIES, INC.,

-against-

JAN 2 6 1999 Defendar

P.M. .. TIME A.M. _

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties to the aboveentitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action, all counterclaims and crossclaims be, and the same hereby are discontinued with prejudice without costs to either party as against the other.

This Stipulation may be filed without further notice with the

Clerk of the Gourt.

Dated:

Brøoklyn, New York November 23, 1998.

EATON & TORRENZANO, LLP. Attorneys for Plaintiff 1662 Sheepshead Bay Road Brooklyn, NY 11235 (718) 332-7766

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As Ordered, U.S.D.J. Gershon

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